

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6501

BILL NUMBER: HB 1494

NOTE PREPARED: Mar 26, 2009

BILL AMENDED:

SUBJECT: Switzerland County Deputy Prosecuting Attorney.

FIRST AUTHOR: Rep. Bischoff

FIRST SPONSOR: Sen. Bray

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill removes a provision that prohibits the state from paying any amount of the annual salary of a chief deputy prosecuting attorney appointed by the prosecuting attorney of the ninety-first judicial circuit (Switzerland County).

Effective Date: July 1, 2009.

Explanation of State Expenditures: This bill could increase state costs between \$126,218, if the deputy prosecuting attorney practices full-time, and \$80,927, if the deputy elects to practice part-time.

A deputy prosecuting attorney's salary is 75% of the salary of a prosecuting attorney. And a part-time deputy prosecuting attorney receives 60% of the salary of a full-time deputy prosecuting attorney. The salary of a prosecuting attorney is tied in statute to the salary of a circuit court judge and changes when the salary of circuit court judge changes. (IC 33-39-6-5)

The salary of circuit and superior court judges can be adjusted each year by one of two methods:

- The General Assembly could increase the amount specified in statute.
- If the General Assembly does not increase the salary of judges by a nominal amount, then under IC 33-38-5-8.1, salaries of judicial officers can be adjusted by the amount that executive staff salaries in the same salary level are increased.

State expenditures associated with this new court officer depend on the costs of fringe benefits for state employees. While most of the benefits are based on a percentage of the salaries of the employee, the costs

of medical insurance for these persons will depend on future decisions of the executive branch. The extent to which the state would pass along any increase in health insurance costs to employees is unknown.

The following table shows estimates of the total compensation (base salary and fringe benefits) of deputy prosecuting attorneys during FY 2010. Future salary increases will depend on legislative or administrative actions (see IC 33-38-5-8.1).

| Salaries and Benefits for Prosecuting Attorneys | | |
|---|-----------|-----------|
| Benefits | Full-Time | Part-Time |
| Salary | \$94,235 | \$56,541 |
| Life Insurance | \$292 | \$175 |
| Social Security | \$7,209 | \$4,325 |
| Retirement | \$8,952 | \$5,371 |
| Disability Insurance | \$2,149 | \$1,289 |
| Deferred Compensation Match | \$390 | \$234 |
| Health, Dental, and Vision (blended rate) | \$12,991 | \$12,991 |
| Total Cost Per Judicial Officer | \$126,218 | \$80,927 |

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Division of State Court Administration.

Local Agencies Affected: Switzerland County Prosecuting Attorney.

Information Sources: Office of State Court Administration.

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